

9 flow [path] paths; and  
10 a metallic film at least on a part of at least one side of said head body.

1 Claim 11 (once amended). The inkjet printer according to claim 9,  
2 wherein said plurality of orifices are formed on one side of the head body,  
3 said each ink ejection unit includes an ink heating unit,  
4 an ink supply bore hole for supplying ink to said at least one common ink flow path is  
5 bored on a side opposite to an orifice forming surface of said head body, and  
6 said metallic film is provided on the side opposite to the orifice forming surface of said  
7 head body.

#### REMARKS

Claims 5-8 have been canceled without prejudice or disclaimer as being drawn to a non-elected invention.

Claims 1-4 and 9-12 are pending in the application. Claims 1, 3, 9, and 11 have been amended.

Claims 1-4 and 9-12 were rejected under 35 U.S.C. 112, first and second paragraphs. Both rejections stem from the Examiner's concerns about the recitation of "an ink ejection unit arranged to correspond to each of said plurality of orifices". By this amendment independent claims 1 and 9 require a plurality of ink ejection units and a plurality of individual ink flow paths. These features are discussed in the application and shown in the drawings. The amendments to the claims should place them in compliance with the requirements of 35 U.S.C. 112, first and second paragraphs.

Claims 1-4 and 9-12 were rejected as being anticipated by U.S. Patent 5,831,648 to Mitani. This rejection is traversed.

The Examiner has asserted that reference 303' shows a metallic film in Figure 31 of the cited reference to Mitani et al. However, it is quite apparent that the reference number 303' is not

a metallic film, but rather, it is a metal oxide film. That is to say, 303' is a thin thermal oxidized film, which means it is an insulative film, as is explicit from Mitani at column 24, line 31 to column 25, line 64.

It appears that the Examiner has reasoned that because the oxidized film of Ta-Si-SiO contains the metal Ta, it is therefore a metallic film. This reasoning is faulty and improper. Attached is a copy of a page from *Hawley's Condensed Chemical Dictionary* Twelfth Edition, which indicates that an "oxide" is a mineral in which metallic atoms are bonded to oxygen atoms, and "oxidation" defines an electron transfer process. Metal oxide materials have insulative properties, meaning that they do not exhibit the electrical or heat conductivity, of metal materials, i.e., there is a well understood and recognized physical difference. Mitani, at column 24, line 33, indicates explicitly that the thermally oxidized Ta-Si-SiO film has an "electrically insulation" property. Independent claims 1 and 9 require a metallic film on the head body. Because the thin film resistor 303 of Ta-Si-SiO is thermally oxidized, it is physically and atomically transformed such that is not a metallic film and does not have attributes of a metallic film. Hence, the Examiner is requested to withdraw the rejection made under 35 U.S.C. 102(b).

In view of the above, the application is in *prima facie* condition for allowance. Reconsideration and allowance of the claims at an early date is requested.

Respectfully submitted,



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